

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-SIXTH LEGISLATURE

NINTH LEGISLATIVE DAY  
TUESDAY, JANUARY 18, 2022

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 67 members present.

Absent and excused - Burns, DeMordaunt, and Gestrin.

Total - 3.

Total - 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Hope Alles, Page.

### 3RD ORDER

#### Approval of Journal

January 18, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighth Legislative Day and recommend that same be adopted as corrected.

CHANEY, Chairman

Mr. Chaney moved that the report be adopted. Seconded by Mr. Gannon. Report adopted.

### 4TH ORDER

#### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR

#### CERTIFICATE OF APPOINTMENT

**KNOW ALL MEN**, that pursuant to the provisions of Section 59-917, Idaho Code, JOHN MCCROSTIE, State Representative, District 16, Seat A, Ada County, State of Idaho, has nominated, DON COBERLY, of 6281 N. Charleston Place, Garden City, Idaho 83703, to perform the duties of this office temporarily as Acting State Representative, District 16, Seat A.

**NOW, THEREFORE, I, BRAD LITTLE**, Governor of the State of Idaho, by virtue of the authority vested in me do hereby appoint Don Coberly of Garden City, Idaho, to the office of Acting State Representative, District 16, Seat A, for a term commencing January 18, 2022 through January 21, 2022.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 17th day of January, in the year of our Lord two thousand and twenty-two, and of the Independence of the United States of America, the two hundred

and forty-sixth year and of the Statehood of Idaho the one hundred and thirty-second year.

/s/ BRAD LITTLE

Governor

/s/ LAWRENCE DENNEY

Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Don Coberly.

### 5TH ORDER

#### Report of Standing Committees

January 18, 2022

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES AND ADMINISTRATION, report that we have printed [H 440](#) and [H 441](#).

CHANEY, Chairman

[H 440](#) was referred to the Ways and Means Committee.

[H 441](#) was referred to the State Affairs Committee.

January 18, 2022

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 436](#) and recommend that it do pass.

HARRIS, Chairman

[H 436](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

### 7TH ORDER

#### Motions, Memorials, and Resolutions

#### HOUSE RESOLUTION NO. 5

#### BY STATE AFFAIRS COMMITTEE

#### A HOUSE RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND ENCOURAGING THE RECOGNITION OF JANUARY 22 AS IDAHO'S DAY OF TEARS TO ACKNOWLEDGE THE LOSS OF LIFE FROM THE MILLIONS OF UNBORN CHILDREN SINCE THE SUPREME COURT'S DECISION IN ROE V. WADE.

Be It Resolved by the House of Representatives of the State of Idaho:

WHEREAS, the House of Representatives finds that on January 22, 1973, the majority of the members of the Supreme Court ruled that abortion was a right secured by the Constitution; and

WHEREAS, since that fateful day, more than 62 million unborn children have perished.

NOW, THEREFORE, BE IT RESOLVED by the members of the House of Representatives, assembled in the Second Regular Session of the Sixty-sixth Idaho Legislature, that January 22, in perpetuity, hereby be recognized as the Day of Tears in Idaho and that the citizens of Idaho be encouraged to lower their flags to half-staff to mourn the innocents who have lost their lives to abortion.

**HOUSE CONCURRENT RESOLUTION NO. 28****BY STATE AFFAIRS COMMITTEE****A CONCURRENT RESOLUTION**

STATING FINDINGS OF THE LEGISLATURE AND HONORING THE LONG LIFE OF HARRY FOX LEMOYNE AND HIS STEADFAST SERVICE TO THE UNITED STATES AND THE STATE OF IDAHO.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, Harry Fox LeMoyne, a longtime resident of Twin Falls, was born August 21, 1918, passing away on August 9, 2021, at the age of 102. Harry was born in Hailey, Idaho, to Harry (Henri) and Jeanette LeMoyne and moved to Hagerman when he was 10 years old. He graduated from Hagerman High School and attended Boise Junior College and the University of Idaho; and

WHEREAS, Harry served in the Army Air Corps from 1941 to 1945 flying P-47 fighters on over 60 combat missions, escorting bombers on their way to and through Europe. Although he was never shot down, there were several close calls. During one mission, Harry's plane was hit by a 20 mm shell that knocked the canopy off the plane, severely wounding Harry. Despite his injuries, Harry guided the damaged plane and landed it in England after a very difficult flight; and

WHEREAS, Harry was awarded the Distinguished Flying Cross and the Purple Heart in 1944 along with many other commendations during his time in the service. Harry remained proud to have served during the beginnings of the United States Air Force. Harry stayed active in the Air Force Reserves and after being a Captain during the war, retired as a full Colonel; and

WHEREAS, after the war, Harry went to work for the Bacon Sheep Company, where he learned a great deal about trailing and caring for sheep. After working for the Bacon Sheep Company, Harry bought a band of sheep to raise on a 40-acre pasture he purchased west of Hagerman; and

WHEREAS, in 1999, Harry was inducted into the Southern Idaho Livestock Hall of Fame. The Southern Idaho Livestock Hall of Fame was established to recognize and honor the men and women who have made positive impacts on the livestock industry; and

WHEREAS, Harry began his real estate career in 1953. Harry obtained an Idaho real estate broker's license and began listing and selling farms and ranches primarily in Idaho. Harry also worked for the Gooding County Assessor appraising farms and ranches. Harry retired from real estate sales in 2016 after 63 years in the business.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Sixty-sixth Idaho Legislature, the House of Representatives and the Senate concurring therein, that we honor the long life of Harry Fox LeMoyne and his steadfast service to the United States and the State of Idaho.

**HR 5** and **HCR 28** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

Mr. Chaney asked unanimous consent that Rule 40(1), with the exception of smoking and consumption of food, be suspended on the House floor for the remainder of session. There being no objection, it was so ordered.

**8TH ORDER****Introduction, First Reading, and Reference  
of Bills and Joint Resolutions****HOUSE BILL NO. 442****BY BUSINESS COMMITTEE****AN ACT**

RELATING TO PROPERTY; AMENDING SECTION 55-307, IDAHO CODE, TO PROVIDE THAT A LOCAL GOVERNMENTAL UNIT SHALL NOT ENACT, MAINTAIN, OR ENFORCE AN ORDINANCE OR RESOLUTION TO REGULATE RENT, FEES, OR DEPOSITS CHARGED FOR LEASING PRIVATE RESIDENTIAL PROPERTY; AMENDING SECTION 55-2006, IDAHO CODE, TO REVISE PROVISIONS REGARDING RENT IN MANUFACTURED HOME COMMUNITIES AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 443****BY JUDICIARY, RULES AND ADMINISTRATION****COMMITTEE****AN ACT**

RELATING TO EDUCATION; AMENDING CHAPTER 57, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-5771A, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING THE PUBLIC SCHOOL HEALTH INSURANCE PARTICIPATION FUND; AMENDING SECTION 33-1002, IDAHO CODE, TO REMOVE PROVISIONS REGARDING LEADERSHIP PREMIUMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1004B, IDAHO CODE, TO REMOVE PROVISIONS REGARDING LEADERSHIP PREMIUMS; AMENDING SECTION 33-1004C, IDAHO CODE, TO REMOVE PROVISIONS REGARDING LEADERSHIP PREMIUMS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1004F, IDAHO CODE, TO REMOVE PROVISIONS REGARDING LEADERSHIP PREMIUMS; REPEALING SECTION 33-1004J, IDAHO CODE, RELATING TO LEADERSHIP PREMIUMS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 444****BY JUDICIARY, RULES AND ADMINISTRATION****COMMITTEE****AN ACT**

RELATING TO THE CORONAVIRUS LIMITED IMMUNITY ACT; AMENDING SECTION 1, CHAPTER 97, LAWS OF 2021, TO EXTEND THE SUNSET DATE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 445****BY HEALTH AND WELFARE COMMITTEE****AN ACT**

RELATING TO CARE OF BIOLOGICAL PRODUCTS; REPEALING SECTION 39-1501, IDAHO CODE, RELATING TO VACCINES, ANTITOXINS, AND OTHER SERA; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 446**  
**BY HEALTH AND WELFARE COMMITTEE**

**AN ACT**

RELATING TO CONTROLLED SUBSTANCES;  
AMENDING SECTION 37-2701, IDAHO CODE, TO  
REVISE A DEFINITION; AMENDING SECTION  
37-2705, IDAHO CODE, TO PROVIDE THAT CERTAIN  
NABIXIMOLS SHALL NOT BE CONSIDERED SCHEDULE  
I CONTROLLED SUBSTANCES AND TO MAKE  
TECHNICAL CORRECTIONS; AND DECLARING AN  
EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

[H 442](#), [H 443](#), [H 444](#), [H 445](#), and [H 446](#) were introduced,  
read the first time by title, and referred to the Judiciary, Rules,  
and Administration Committee for printing.

There being no objection, the House advanced to the  
Fifteenth Order of Business.

**15TH ORDER**  
**Announcements**

Announcements were made to the body.

**16TH ORDER**  
**Adjournment**

Mr. Moyle moved that the House adjourn until 11 a.m.,  
Wednesday, January 19, 2022. Seconded by Ms. Rubel. Motion  
carried.

Whereupon the Speaker declared the House adjourned at  
11:12 a.m.

SCOTT BEDKE, Speaker

ATTEST:

CARRIE MAULIN, Chief Clerk